

WYOMING GAME AND FISH COMMISSION

CHAPTER 38

HUNTERS WITH A QUALIFYING DISABILITY AUTHORIZED TO SHOOT FROM A VEHICLE

Section 1. Authority. This regulation is promulgated by authority of W.S. §23-1-302(a)(xxii), and §23-3-306(a).

Section 2. Regulation. The Wyoming Game and Fish Commission hereby adopts the following regulation governing permits for hunters with a qualifying disability being authorized to shoot from a vehicle. This regulation shall remain in effect until modified or rescinded by the Commission.

Section 3. Definitions. For the purpose of this regulation definitions shall be as set forth in Title 23, Wyoming Statutes, and the Commission also adopts the following definitions:

- (a) “Handicapped Hunter” means a hunter with a qualifying disability.
- (b) “Qualifying Disability” means a physical condition that necessitates the individual to, at all times, utilize a wheelchair, cane, crutches or some other mechanical device to assist the individual in moving to and from a vehicle.
- (c) “Vehicle” means any automotive vehicle, trailer, motor-propelled wheeled vehicle, or vehicle designed for travel over snow.

Section 4. Permits for Hunters with a Qualifying Disability to Shoot from a Vehicle.

(a) Hunters with a qualifying disability shall be allowed to shoot from a stationary vehicle to take wildlife after receiving from the Department a free Hunter with a Qualifying Disability Permit. The permit shall not allow a hunter with a qualifying disability to hunt, shoot or attempt to take any wildlife from, upon, along or across any public road or highway.

(b) A permanent permit for a Hunter with a Qualifying Disability shall be valid as long as the applicant continues to have a qualifying disability. To qualify for a permanent permit, the applicant shall apply on a proper application form. The application shall be signed by a medical doctor, nurse practitioner or physician assistant licensed to practice medicine. A permanent permit for a hunter with a qualifying disability to shoot from a vehicle shall be issued by the Department’s License Section at Headquarters.

(c) A temporary permit for a hunter with a qualifying disability shall be valid for the calendar year in which issued as long as the applicant continues to have a qualifying disability. A temporary permit for a hunter with a qualifying disability shall be issued to qualified applicants by the Department’s License Section, Regional Offices or designated Department personnel

(d) Permits for hunters with a qualifying disability to shoot from a vehicle shall not be valid in Grand Teton National Park or on the National Elk Refuge.

Section 5. Proof of Permit. Permits issued in accordance with this regulation shall be in possession of the individual in whose name the permit has been issued and shall immediately be produced for inspection upon request of an officer authorized to enforce this regulation.

Section 6. Revocation or Denial of a Hunter with a Qualifying Disability Permit.

(a) The Department may deny or revoke a Hunter with a Qualifying Disability Permit for the following reasons:

(i) The applicant made a false statement on the application to secure a permit.

(ii) The permittee no longer has a qualifying disability as described in this regulation.

(b) Any person who has a Hunter with a Qualifying Disability Permit denied by the Department may appeal the Department's decision to the Chief Fiscal Officer in accordance with Commission rules and regulations.

(c) Any person who has a Hunter with a Qualifying Disability Permit revoked by the Department may appeal the Department's decision to the Commission in accordance with Commission rules and regulations.

Section 7. Violation of Commission Regulations

(a) Failure to abide by the provisions of this regulation, or making a false statement to obtain a Hunter with a Qualifying Disability Permit, shall be punishable as provided by Wyoming statutes for a violation of Commission regulations.

Section 8. Savings Clause. If any provision of this regulation shall be held to be illegal or unconstitutional, such a ruling shall not affect other provisions of this regulation which can be given effect without the illegal or unconstitutional provision; and, to this end, the provisions of the regulation shall be severable.

WYOMING GAME AND FISH COMMISSION

By:

Fred Lindzey, President

Dated: September 7, 2011